

# La Posta takes next step in water jurisdiction

By Jessica Brodtkin Webb



The La Posta Band of Mission Indians has applied to the United States Environmental Protection Agency for "treatment in a similar manner as a state."

A May 11 letter written by Tribal Water Section Supervisor Jason Brush stated EPA approval would enable the tribe, rather than the federal government, to directly administer some water quality programs on the tribe's reservation.

That letter states that pursuant to the EPA's regulations, they solicited comments from state and federal entities by letter on May 1 and from the public by notice in The Alpine Sun newspaper on May 8.

The EPA will accept questions or comments regarding the application until June 8.

"We're very interested, particularly when it comes to tribes, in having local decision makers make local decisions for tribes. When La Posta applied, we started working on it right away. We're now at the point that we feel we've gathered enough information to reach out to neighboring jurisdictions to inform folks this is happening and if they have any comment on the tribes authority to take on the role this is the time to let us know," Brush said in a follow-up call. Brush said approval would allow the tribe to adopt, review, and revise water quality standards for all surface waters within the Reservation, to submit those standards to EPA for subsequent review and approval, and be authorized to certify that discharges to surface water comply with water quality standards for all surface waters within that same area.

In a phone call, La Posta Band of Mission Indians Vice Chairman and Tribal Administrator James Hill, Sr. said the process is nothing new.

"There's mechanisms in place to allow this to happen to enhance sovereignty and to ensure jurisdiction in our lands," Hill, Sr. said.

La Posta Environmental Program Manager Anne Turcotte said the process has just begun and nothing will change, for now, beyond showing the tribe acting with sovereignty.

Brush explained: "Developing the standards themselves would be a future step up for the tribe. Monitoring is important to verify you are meeting standards for surface waters."

Turcotte also said the change in approach gives the tribe a framework for the future.

"We don't currently have a lot of commercial activity so it doesn't change much for us now but we have to take into account the quality development we want to see," Turcotte said.

She said there is no cost to changing how the tribe has their surface water managed beyond the investment of time and effort at this point.

Eventually, she reports, there will likely be some cost to deploy regulatory requirements.

"If locals have any comment on the tribe's authority to take on this role, this is the time to let us know," Brush said.

Questions and concerns can be directed to Environmental Protection Specialist Licia Maclear at (415) 972-3161.

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